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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/656,236 | 09/08/2003 | Hideaki Shiga | Q77277 | 1090 |

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EXAMINER

TUPPER, ROBERT S

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2652

DATE MAILED: 02/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/656,236

Applicant(s)

SHIGA, HIDEAKI

Examiner

Robert S Tupper

Art Unit

2652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2652

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over NAKAMICHI (5,870,368).

Note figures 3-6. NAKAMICHI shows a disk drive with guides (1002 and 1003). NAKAMICHI teaches the use of low friction, anti-wear materials for the guides (see column 7 lines 65-67 and column 8 lines 28-31). Note the "Duracon" material disclosed in NAKAMICHI (see column 7 line 67) is considered to be included in the list of materials recited in claim 2.

NAKAMICHI differs in that : (1) the system plays disks not mounted in cartridges, and (2) the entire guide is made up of a low friction material rather than using a coating.

Concerning (1), it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of NAKAMICHI to systems utilizing disks mounted in cartridges. The motivation is as follows: one of ordinary skill in the art would certainly understand that the teaching of reducing friction and wear in the guiding the medium in a disk drive applies to both systems using disks cartridges as well as disks themselves.

Concerning (2), it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a coating in place of making the guide entirely

Art Unit: 2652

of the low friction material. The motivation is as follows: these are art recognized equivalents that operate in the same manner and produce the same results without any unexpected results.

3. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over SMITH (6,141,180).

Note figure 1. SMITH shows a magnetic tape cartridge drive with guide 100. SMITH teaches that the guide is made of a low friction, anti-wear material (see column 2 lines 33-40).

SMITH differs in that: (1) the system utilizes a tape cartridge, and (2) (2) the entire guide is made up of a low friction material rather than using a coating.

Concerning (1), it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of NAKAMICHI to disk drive systems. The motivation is as follows: one of ordinary skill in the art would certainly understand that the teaching of reducing friction and wear in the guiding a cartridge applies to disk cartridge systems as well as tape cartridge systems.

Concerning (2), it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a coating in place of making the guide entirely of the low friction material. The motivation is as follows: these are art recognized equivalents that operate in the same manner and produce the same results without any unexpected results.

Art Unit: 2652

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert S Tupper whose telephone number is 703-308-1601. The examiner can normally be reached on Mon - Fri, 6:00 AM - 3:30 PM (first Fri off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on 703-305-9687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Robert S Tupper
Primary Examiner
Art Unit 2652

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